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September 20, 2005


Manette Dennis (Reg. No. 30,623)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/520,243
Confirmation No. : 2622
Applicant : SANAKA, Tsutomu et al.
International Filing Date : May 23, 2003
Priority Date : July 1, 2002
TC/A.U. : to be assigned
Examiner : to be assigned
Docket No. : KPO-JMS-P1/SH-72/US
Title : PERITONEAL DIALYSATE CONTAINING TAURINE

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In Response to the Notification of Missing Requirements mailed on July 21, 2005, Applicants respectfully maintain that the items requested in the Notification of Missing Requirements have already been filed with the USPTO on May 2, 2005.

Applicants hereby submit copies of documents, which demonstrate that the U. S. Patent and Trademark Office already received the Declaration of the Inventors and \$130 Surcharge.

The following copies are enclosed:

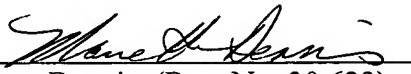
1. Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed 21 July 2005;
2. Postcard listing Declaration stamped 02 May 2005 by JC10 Rec'd PCT/PTO;
3. Ostrager Chong Flaherty & Broitman Check No. 1699 dated April 29, 2005 cashed by the U.S. Patent and Trademark Office;
4. Express Label EV501833976 US stamped by the USPS on 02 May 2005;
5. Certificate of Mailing by "Express Mail" (37 CFR 1.10);
6. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) concerning a submission under 35 U.S.C. 371; and
7. Declaration and Power of Attorney for Patent Application: Japanese Language Declaration executed by the inventors.

If there are any questions about the enclosed documents, please telephone the undersigned.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment to Deposit Account No. 50-3195. A duplicate copy of this sheet is enclosed.

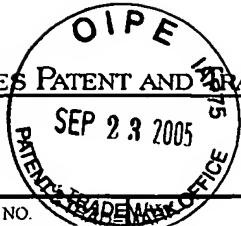
Respectfully submitted,

Date: September 20, 2005


Manette Dennis (Reg. No. 30,623)
Ostrager Chong & Flaherty LLP
825 Third Avenue 30th Floor
New York, New York 10022
Tel.: 212 826-6565
Fax: 212 826-5909
mdennis@ocflaw.com



UNITED STATES PATENT AND TRADEMARK OFFICE



SEP 23 2005

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DOCKET NO.

10/520,243

FIRST NAMED APPLICANT

Tsutomu Sanaka

ATTY. DOCKET NO.

KPO-JMS-P1/SH-72/US

JUL 26 2005

INTERNATIONAL APPLICATION NO.

PCT/JP03/06453

IA. FILING DATE

05/23/2003

PRIORITY DATE

07/01/2002

44702

OSTRAGER CHONG FLAHERTY & BROITMAN PC
 250 PARK AVENUE, SUITE 825
 NEW YORK, NY 10177

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JUL 25 2005

CONFIRMATION NO. 2622
 371 FORMALITIES LETTER



OC000000016552149

Date Mailed: 07/21/2005

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NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/01/2005
- Copy of the International Search Report filed on 01/01/2005
- Copy of IPE Report filed on 01/01/2005
- Request for Immediate Examination filed on 01/01/2005
- U.S. Basic National Fees filed on 01/01/2005
- Priority Documents filed on 01/01/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/520,243	PCT/JP03/06453	KPO-JMS-P1/SH-72/US

FORM PCT/DO/EO/905 (371 Formalities Notice)

U.S. Patent Application No. 10/520,243
Applicants: T. Sanaka et al.
entitled: PERITONEAL DIALYSATE CONTAINING TAURINE

Please acknowledge receipt of the following:

- ✓ Transmittal Letter to DO/EDUS concerning a filing under 35 U.S.C. 371
- ✓ Declaration/ Power of Attorney (4 pages)
- ✓ Cert of Express Mailing No. EU 501833976 US dated 5/21/05
- ✓ Certified Translation of Japanese Patent Application No. JP2002-192177 filed July 1, 2002

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OSTRAGER CHONG FLAHERTY & BROITMAN PC



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Applicant(s): T.Sanaka et al.

Docket No.

KPO-JMS-P1/SH-72/US

Application No.

10/520,243

Filing Date

January 1, 2005

Examiner

to be assigned

Customer No.

44702

Group Art Unit

to be assigned

Invention: **PERITONEAL DIALYSATE CONTAINING TAURINE**

I hereby certify that the following correspondence:

Transmittal Letter to the United States Designated/Elected Office Concerning a Filing under 35 U.S.C. 371, enclosing executed Declaration/Power of Attorney*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 2, 2005*(Date)*Manette Dennis*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EV501833976US*("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.

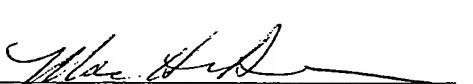
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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER KPO-JMS-PI/SH-72/US
INTERNATIONAL APPLICATION NO. PCT/JP2003/006453	INTERNATIONAL FILING DATE May 23, 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/520,243
PRIORITY DATE July 1, 2002		
TITLE OF INVENTION PERITONEAL DIALYSATE CONTAINING TAURINE		
APPLICANT(S) FOR DO/EO/US SANAKA, Tsutomu; WAKABAYASHI, Maki; SANO, Yukihiro		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). 		
Items 11 to 20 below concern document(s) or information		
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Certified Translation of Japanese Patent Application No. JP2002-192177 filed July 1, 2002; Express Mail Label No. EV 501833976 US 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 10/520,343		INTERNATIONAL APPLICATION NO. PCT/JP2003/006453		ATTORNEY'S DOCKET NUMBER KPO-JMS-P1/SH-72/US	
21. The following fees are submitted:				Applicant use	Office use only
<input type="checkbox"/> a) Basic national fee \$300.00 <input type="checkbox"/> b) Examination fee \$200.00 <input type="checkbox"/> c) Search fee \$500.00				\$ 0.00	
TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$ 0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE	
- 100 =	/50 =			x \$250.00	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$ 0.00		
Independent claims	- 3 =	0	x \$ 0.00		
Multiple Dependent Claims (if applicable) <input type="checkbox"/>			+ \$360.00		
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
				SUBTOTAL	\$ 130.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00	
				TOTAL NATIONAL FEE	\$ 130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per				\$ 0.00	
				TOTAL FEES ENCLOSED =	\$ 130.00
				Amount to be refunded:	\$ 0.00
				Amount to be charged:	\$ 130.00
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$130.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account <u>50-3195</u> in the amount of <u>\$130.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account <u>50-3195</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Customer No. 44702					
Ostrager Chong Flaherty & Broitman P.C. 250 Park Avenue, Suite 825 New York, New York 10177-0899 212-681-0600, ext 101 Fax. 212-681-0300 mdennis@ocflaw.com					
 SIGNATURE Manette Dennis NAME					
30,625 REGISTRATION NUMBER					